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*Counsel for Plaintiff*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

MDL No. 3084 CRB

Honorable Charles R. Breyer

PLAINTIFF'S RESPONSE TO UBER'S  
MOTION TO DISMISS CASES FOR  
FAILURE TO COMPLY WITH PTO 10

### This Document Relates to:

Date: October 3, 2025

Time: 10:00 a.m.

Courtroom: 6-17<sup>th</sup> Floor

## I. INTRODUCTION

On August 22, 2025, Defendants filed a Motion to Dismiss the claims of the above-listed Plaintiffs on the grounds that Plaintiffs' have failed to comply with Pretrial Order ("PTO") No. 10. [Document 3713]. PTO establishes procedures and deadlines related to the production of Plaintiff Fact Sheets [Document 348].

1           **II. ARGUMENT**

2           **A. PLAINTIFF S.G. HAS COMPLIED WITH PTO 10**

3           Plaintiff S.G., has now fully complied with PTO 10 by providing the missing  
4           identified documents identified in Defendants' Motion. Plaintiff has submitted a  
5           verification of Plaintiff Fact Sheet on September 4, 2025, (2) Limited  
6           Authorization to Disclose Health Information-Exhibit A, and (3) Authorization to  
7           Disclose Psychiatric, Psychotherapy, and Mental Health Information- Exhibit B on  
8           September 5, 2025. This case should therefore be removed from consideration of  
9           Defendants' Motion to Dismiss.

10           **B. DEFENDANT(S) FAILED TO COMPLY WITH LOCAL RULE 37-1**  
11           **BEFORE FILING THEIR MOTION**

12           Local Rule 37-1 requires counsel to meet and confer in good faith before bringing  
13           a discovery motion. *See* L.R. 37-1. Defendants' counsel failed to meet and confer  
14           with counsel for Plaintiff S.G. about Plaintiff's alleged failure to comply with PTO  
15           10 before filing their Motion to Dismiss, contrary to this Court's Local Rules.  
16           Accordingly, this failure independently warrants denial of Defendants' motion as  
17           to this Plaintiff.

18           **III. CONCLUSION**

19           For the foregoing reasons, Plaintiff respectfully requests that the Court deny  
20           Defendants' Motion to Dismiss.

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1 Dated: September 5, 2025

2 Respectfully submitted,

3 By: /s/ Ellyn Hurd  
4 ELLYN HURD  
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9 *Counsel for Plaintiff*

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12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on September 5, 2025, I electronically transmitted the foregoing  
14 **PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS CASES FOR**  
15 **FAILURE TO COMPLY WITH COURT ORDER** to the Clerk's Office using CM/ECF  
16 System for filing thereby transmitting a Notice of *Electronic* Filing to all CM/ECF registrants.  
17 Additionally, the foregoing was served to Defendants' counsel via submittal of documents on:  
18 <https://www.browngreer.com/mdl-centrality/>.

19 /s/ Ellyn Hurd  
20 Ellyn Hurd

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